The Washington Post Democracy Dies in Darkness

Opinion: Iván Velásquez: I was proud to lead the CICIG. Now Guatemalans must carry on the fight against corruption.

Opinion by Iván Velásquez
September 2. 2019

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In the past decade, Guatemala has become a place where once-untouchable, powerful elites have learned to fear criminal prosecution. That's the legacy of an independent and resilient commission created to dismantle an entrenched system of corruption that ruled from the highest levels of industry and government.

After a long armed conflict, a parallel power structure captured the justice system and other institutions in Guatemala, fueling poverty and violence and spurring families to seek better lives in new lands. It was in this context that local activists and human rights organizations began to recognize the need for deep reforms. Their demands prompted the government to invite the United Nations to support a new kind of independent institution. Since then, the International Commission Against Impunity in Guatemala — known as the CICIG in Spanish — has successfully prosecuted high-level government corruption and organized crime to rebuild trust in the rule of law. In the process, the CICIG became one of the most popular institutions in the country.

I had the honor of serving as the head of the CICIG, whose mandate ends Tuesday. Despite the CICIG's success in prosecuting many powerful individuals, it was Jimmy Morales, Guatemala's outgoing president, who decided not to extend the mandate after he faced a criminal investigation himself. His fear of the CICIG was a recognition of its efficacy. His ultimate success in driving the CICIG away offers a cautionary tale.

The CICIG began full operation in 2008 with a mandate to identify and unravel criminal networks, support the investigation and prosecution of their members and recommend measures to ensure they would not reemerge. International investigators and prosecutors got to work.

From the outset, we identified the need for a stronger legal framework, the adoption of modern investigative tools and techniques and the importance of empowering independent-minded prosecutors. Judges serving in CICIG-recommended high-risk courts proved to be more independent and effective.

By late 2015, the CICIG had exposed a criminal network led by Guatemala's sitting president and vice president. Both had resigned and been arrested. Suddenly, the word "accountability" acquired weight and significance for everyday citizens who had lost trust in the state. Tens of thousands marched in the streets in support of the commission.

Of course, this generated a lot of fear among powerful sectors, and the threat of a backlash loomed. Polls showed a vast majority of Guatemalans supported our work, which also enjoyed strong international backing, including bipartisan support in Washington.

After the CICIG announced that it was investigating Morales and members of his family for campaign finance violations, he and others began to threaten the commission and launched a campaign to erode the U.S. bipartisanship support. They spent millions on Washington lobbyists and dispatched a steady stream of state officials to make the case that the CICIG was a leftist operation. When the Trump administration announced it was moving its embassy in Israel to Jerusalem, Guatemala was the first government to follow suit — all in an effort to get closer to the U.S. government and continue its push to discredit the agency.

The efforts paid off. Last year, when Morales barred me from returning to the country in violation of the agreement with the United Nations, the tepid response from the Trump administration amounted to a stamp of approval. That's when Morales refused to extend the mandate.

Now Guatemala again faces difficult times. Powerful economic interests and criminal organizations feel emboldened. They have regained control.

But Guatemalans have tasted what it feels like to live under the rule of law. We are confident that they will not tolerate it being trampled. They must mobilize to protect independent judges and prosecutors. Civil society organizations and the independent media will also have to play a bigger role in the fight against corruption and impunity. They will face pressure and attacks.

Beyond Guatemala, the CICIG's successes have prompted the creation of a similar entity in Honduras, backed by the Organization of American States. The new president of El Salvador <u>has pledged to create one too</u>, and the <u>mothers of</u> the disappeared in Mexico are demanding an internationalized mechanism against impunity as well.

The CICIG experience has shown the world that there is a new model for tackling complex, transnational criminality. But when the international community agrees to build these models, it must remain steadfast in supporting them, including through regional human rights courts. But ultimately, citizens must mobilize to defend the progress.

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